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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,859	07/14/2003	Jerome Azema	TI-34919	6980

23494 7590 04/02/2007
TEXAS INSTRUMENTS INCORPORATED
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EXAMINER

LIPMAN, JACOB

ART UNIT	PAPER NUMBER
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2134

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/618,859	AZEMA ET AL.	
	Examiner	Art Unit	
	Jacob Lipman	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 12 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 14-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/1/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 12 and 13 withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 19 January 2007.
2. Applicant's election with traverse of claims 1-11 and 14-21 in the reply filed on 19 January 2007 is acknowledged. The traversal is on the ground(s) that the burden placed on the examiner is not a serious one. This is not found persuasive because the examiner would have to examine two separate classes and subclasses for two divergent inventions. This is a serious burden on the examiner, as outlined in the restriction notice.

The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

3. The information disclosure statement filed 1 December 1003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document. A copy of the art cited but not included has been included with this office action by the examiner. The IDS has been considered.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 8, 9, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claim 8 recites the limitation "the data file" in line 1. There is insufficient antecedent basis for this limitation in the claim.
7. Claims 9 and 20 recite the limitation "International Mobile Equipment Identity Number", which is a protocol name, and is subject to change. This limitation is being understood as a number.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-3, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Helmut et al., in EP 0843,249.

With regard to claims 1, 8, 9, and 14, Helmut discloses a computing device including a processing system (page 3 lines 5-8, page 11 lines 43-44), an externally-accessible memory coupled to the processing system (page 11 lines 46-48), an electronic file stored in the externally-accessible memory (page 12 lines 36-39), a digital certificate containing information associating the electronic file (page 13 lines 39-43) and an identifier linked to the computing device (page 13 lines 44-54), and wherein the processing system determines whether there is a valid association between a current

state of the electronic file and the identifier prior to accessing the electronic file (page 13 line 55-page 14 line 11).

With regard to claims 2 and 15, Helmut discloses the digital certificate stores a software signature derived from an initial state of the electronic file (page 14 lines 9-11).

With regard to claims 3-5 and 16-20, Helmut discloses the software signature comprises a hash of the initial state of the electronic file, encrypted responsive to the identifier (page 13 lines 46-51).

With regard to claim 6 and 7, Helmut discloses the file is a data file and program (page 14 lines 25-28)

With regard to claim 10, Helmut discloses the certificate includes execution parameters associated with the electronic file (page 14 lines 12-24).

With regard to claims 11 and 21, Helmut discloses the digital certificate further includes information associating the electronic file with an application program (page 8 lines 33-49).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 571-272-3837. The examiner can normally be reached on M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL

Two handwritten signatures are present. The first signature is a simple, stylized mark. The second signature is more complex, featuring a large, looped 'J' followed by a series of connected strokes.